

**eTech Ohio Commission Meeting Minutes**  
**September 13, 2007**  
**9:30 am – 12:10 pm**

**eTech Ohio Commission Attendees:** Commission Chair Designee David Barber, Commissioner Bruce Hawkins, Commissioner R. Steve Edmonson, Commissioner Bill Sams, Commissioner Arlene Setzer, Commissioner Susan Turben, Commissioner John Boggess, Commissioner Dan Vermeire, Commissioner Paul Hood, Commissioner Designee Steve Burigana, Commissioner Jennifer Garrison.

**eTech Ohio Staff Attendees:** Executive Director Jillian Froment, Chief Operations Officer Jason Barnett, Director of Government Relations and Public Affairs Kevin Potter, Public Affairs Officer Dan Fitzpatrick, Chief Education Officer Elizabeth Wallace, Assistant Chief Education Officer Scott Kane, Chief Information Officer Matt Howard, , Chief Technology Officer Eugene Wallis, and Broadcast Manager Phil Riegel.

**I. Opening**

Commission Chair Designee David Barber called the meeting to order and asked that the roll call be read.

**II. Roll Call**

Executive Assistant Dora Dean called roll. Commission Chair Designee Barber noted there was a quorum under the bylaws. Commissioner Boggess and Commissioner Garrison arrived after the roll was called.

**III. Approval of Minutes**

**a. July Meeting Minutes**

Commission Chair Designee Barber asked the Commission members for a motion to approve the minutes of the July 12, 2007 meeting as emailed to them. Motion was made by Commissioner Hawkins, seconded by Commissioner Sams to approve the minutes. Commission Chair Designee Barber asked for all in favor to voice their approval. All members were in favor of the motion.

**IV. Reports and Administrative**

**a. Chairman's designee's report**

Commission Chair Designee Barber welcomed the Commissioners, eTech Ohio staff and public attendees to the meeting. He stated the agenda contained an item of business asking the Commission to consider changing the October and November meeting dates to accommodate Commission Chair Fingerhut's calendar. He stated this item would be addressed later in the meeting.

will be sent a draft of the resolution 20 days prior to the meeting. He said the executive committee could take action between the Commission meetings and results of its action will be brought forward to the full Commission for their review. Discussion was held by the Commission regarding the role of the executive committee. Commission Chair Designee Barber said Commission Chair Fingerhut would give more information about the executive committee at the next commission meeting.

## **V. Unfinished Business**

Commission Chair Designee Barber asked for unfinished business. It was determined that there was no unfinished business.

## **VI. New Business**

### **a. Election of Vice Chairman**

Commission Chair Designee Barber stated the eTech Ohio Bylaws require the vote for the Vice Chairman to be by ballot and called for nominations. Commissioner Burigana nominated Commissioner Hawkins and Commissioner Sams supported the nomination. There were no further nominations and the nominations were closed. Kevin Potter distributed the ballots to the voting members of the Commission for their vote. Commission Chair Designee Barber declared the polls closed and asked the ballots be collected and tallied. There were nine votes cast with five votes necessary for election. Nine votes were cast for Commissioner Hawkins. Commissioner Hawkins was elected Commission Vice Chairman.

### **b. Allocation Formula - Television**

Executive Director Froment gave an overview of the allocation formula and eligibility criteria for the television stations. She stated that eligible stations are primary stations, satellite stations, secondary stations and translators. She said a major language change was made in the first paragraph of the Subsidy Formula section to eliminate duplication of services. After presenting the breakdown of the fund distribution, Executive Director Froment asked for approval of the new formula. Motion was made by Commissioner Sams, seconded by Commissioner Hawkins to adopt Resolution 08-04 approving the allocation formula as presented to the Commission for use in dispersing that portion of the Telecommunications Operating Subsidy that is received by Ohio's qualified public educational television stations. Commission Chair Designee Barber asked if there was any discussion. There was no discussion. Commission Chair Designee Barber asked all in favor of adopting Resolution 08-04 to signify with an aye, all not in favor to signify with a nay. The motion was carried by all Commission members.

## **Resolution 08-04**

**Whereas,** Section 285.30 of HB 119 directed the distribution of the Telecommunications Operating Subsidy by eTech Ohio to Ohio's qualified public educational television stations to support their operations;

**Whereas,** The funds were to be distributed pursuant to an allocation formula used by the Ohio Educational Telecommunications Network Commission unless and until a substitute formula is developed by eTech Ohio in consultation with Ohio's qualified public educational television stations;

**Whereas,** In May and June of this year, eTech Ohio staff met with representatives of the qualified public educational television stations to update the legacy formula to ensure the formula reflected current technology, names, etc.;

**Whereas,** Trina Cutter, current President of the Ohio Educational Television Station Officers organization, has communicated to eTech Ohio that the revised allocation formula has met with the approval of the members of the organization;

**Therefore,** be it resolved that the Commission adopts the attached allocation formula for use in dispersing that portion of the Telecommunications Operating Subsidy that is received by Ohio's qualified public educational television stations.

  
eTech Ohio Commission

September 13, 2007  
Date

ETECH OHIO COMMISSION  
Television Station Operating Allocation Formula and Eligibility Criteria  
September 13, 2007

A. ELIGIBLE GRANTEE

For the purpose of this criteria statement, an eligible station shall be defined as an on-the-air television station operating in Ohio under a noncommercial educational license granted by the FCC and which meets all the criteria set forth below.

All eTech Ohio Commission (eTech Ohio) eligible stations must be in compliance with all applicable State of Ohio laws and regulations including, but not limited to, equal employment opportunities, drug-free workplace, no finding for recovery, and the Americans With Disabilities Act of 1990.

B. CRITERIA

1. **LICENSING AND POWER:** The station must be designated by the FCC as a noncommercial, educational television station. The station must be on-the-air and have transmitter power sufficient to provide primary signal coverage in the community of license.

2. **MANAGEMENT AND STAFF:**

a. Primary Stations

1). The station should have a minimum of five full-time professional staff members employed on an annual (12 month) basis. At least three full-time staff members should be employed in managerial and/or programming positions.

2). Full-time, professional, television station staff includes permanent personnel with demonstrated skill and expertise in management, programming, production, promotion, development, or engineering areas of a television station operation, paid no less than the minimum federal hourly wage plus regular health benefits, whose terms of employment require the exercise of full-time duties in one or more of these areas. The term "full-time" will be understood to be the number of hours that constitute the normal acceptable work week at each institution of station.

3). Custodial and clerical staff, students whose student status is a condition of employment, interns and trainees, do not meet the definition of this criterion, nor do personnel teaching or holding academic duties in excess of the equivalent of one three-hour credit course per quarter or semester.

4). Persons employed on a non-permanent basis, such as on a public service employment training grant, cannot be considered full-time professional television staff to meet this criterion.

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### Television Station Operating Allocation Formula and Eligibility Criteria

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5). A primary station must have sufficient, professionally equipped on-air production facilities to allow for broadcast of programming of high technical quality including the capability for simultaneous local production and origination. In addition, sufficient office space must be provided.

6). The station must broadcast on a schedule of seven days per week, fifty-two weeks per year, for a total of at least 3,000 hours or 58 hours a week..

7). A program schedule designed to further the principles of particular political and/or religious philosophies does not meet the definition of this criterion.

8). Stations licensed to political organizations do not meet the definition of this criterion.

9). Any television station which receives subsidy payment from eTech Ohio is encouraged to, contingent upon the rights being available, share its programming with any other public television station which receives subsidy payments from eTech Ohio. The service from whom the programming is requested shall negotiate with the requesting television station, for payment to cover reasonable additional expenses incurred. eTech Ohio will facilitate the exchange of programs through its statewide information distribution network.

#### b. Satellite Station

1). A satellite station repeats the signal from a primary station but is one which is necessary to achieve statewide service, even if it partially duplicates a primary station signal.

2). A satellite station must have sufficient reception and transmission equipment in order to retransmit the signal of the primary station in order to provide coverage for the area which it is designated to serve.

3). A satellite station is not required to have local production or origination capabilities.

#### c. Secondary Station

1). A secondary station is one which duplicates the signal of a primary station and/or a satellite station but is one which is not essential to achieve statewide first service.

2). A secondary station must have sufficient reception and transmission equipment in order to retransmit the signal of a primary station and/or satellite station.

3). A secondary station is not required to have local production or origination capabilities.

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### d. Translators

1). A translator is used to provide a public television signal in areas which have severe reception problems from either a primary station, satellite station, or a secondary station.

2). A translator must have sufficient reception and transmission equipment in order to retransmit the signal of the facilities detailed in 1 above.

3). A translator does not have local production or origination capabilities.

### C. SUBSIDY FORMULA

The measurement for determining statewide coverage for public television in Ohio is the FCC's predicted Grade B contour. Statewide coverage for public television has been realized. Stations who are currently receiving subsidy as primary and/or secondary stations will retain their designation. If an existing primary or satellite station, which is totally duplicative of the signal of another station, ceases operations, that station or its successor will no longer be considered a primary or satellite station. Applicant stations who are not currently receiving subsidy funds as a primary or satellite station will need to demonstrate coverage to unserved or underserved areas of the state to qualify as an eligible primary or satellite station.

1. Of the total television subsidy funds, 63.39 percent of the funds shall be equally divided between the primary stations. As of the date of issuance of this document, the following eight (8) stations are considered to be primary public television stations operating in Ohio:

WGTE-TV	WBGU-TV	WVIZ-TV	WNEO-TV
WOSU-TV	WOUB-TV	WPTD-TV	WCET-TV

2. Of the total television subsidy funds, 19.77 percent of the funds shall be equally divided between the satellite stations. As of the date of issuance of this document, the following two (2) stations are considered to be satellite stations operating in Ohio:

WOUC-TV	WPBO-TV
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3. Of the total television subsidy funds, 10 percent of the funds shall be equally divided between the secondary stations. As of the date of issuance of this document, the following two (2) stations are considered to be secondary stations:

WEAO-TV	WPTO-TV
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4. Of the total television subsidy funds, 1.12 percent of the funds shall be equally divided between the 100 watt translators. As of the date of the issuance of this document, the two (2) 100 watt translators are:

100 Watts ó Loudonville and Millersburg

Of the total television subsidy funds, 5.72 percent of the funds shall be equally divided between the 1000 watt translators. As of the date of the issuance of this document, the seven (7) 1000 watt translators are:

1,000 Watts ó Ashtabula	Thompson	Youngstown	Mansfield
Newark	Maplewood	Celina	

#### D. APPEALS PROCESS

Any current or potential Commission grantee may appeal a designation to the eTech Ohio Commission. The appeal must be in writing and contain the following information:

1. Formal letter appealing the designation;
2. An engineering study supporting the appeal;
3. Other information which the licensee deems appropriate in support of their appeal.

In the event the appellant is successful, the eTech Ohio Commission will recalculate the existing subsidy and re-distribute of the existing subsidy will be made based upon the findings of the appeal.

#### E. OTHER CRITERIA

Disbursement of subsidy payments from eTech Ohio to public television stations is subject to the availability of funds.

**eTech Ohio Commission Meeting Minutes**  
**July 12, 2007**  
**9:30 am - 11:30 am**

**eTech Ohio Commission Attendees:** Commission Chair Bill Sams, Commissioner John Boggess, Commissioner R. Steve Edmonson, Commissioner Bruce Hawkins, Commissioner Paul Hood, Commissioner Arlene Setzer, Commissioner Dan Vermeire, Commissioner Designee David Barber, Commissioner Designee Steve Burigana.

**eTech Ohio Staff Attendees:** Executive Director Jillian Froment, Chief Operations Officer Jason Barnett, General Counsel Shelly Peloquin, Director of Government Relations and Public Affairs Kevin Potter, Public Affairs Officer Dan Fitzpatrick, Chief Education Officer Elizabeth Wallace, Assistant Chief Education Officer Scott Kane, Chief Information Officer Matt Howard, Executive Assistant Dora Dean, Broadcast Manager Phil Riegel, Director of Network Engineering Craig Stevenson, and Chief Technology Officer Eugene Wallis.

**I. Opening**

Commission Chair Sams called the Commission meeting to order at 9:30 am and asked that the roll call be read.

**II. Roll Call**

Executive Assistant Dora Dean called roll. Commission Chair Sams noted there was a quorum under the bylaws.

**III. Approval of Minutes**

**a. June Meeting Minutes**

Commission Chair Sams asked the Commission members for a motion to approve the minutes of the June 14, 2007 Commission meeting as emailed to them. Motion was made by Commissioner Hawkins, seconded by Commissioner Hood to approve the minutes. Commission Chair Sams asked if there was any discussion. There was no discussion. Commission Chair Sams asked for all in favor to voice their approval. All members were in favor of the motion.

**IV. Reports and Administrative**

**a. Chairman's report**

Commission Chair Sams stated that as eTech Ohio focuses on fine tuning the strategic plan, he would like to implement the concept of "going beyond ourselves" and work with key state agencies such as the Ohio Board of Regents, Ohio Department of Education, and Office of Information Technology to make the plan into a broader, state technology education plan.

## **V. Unfinished Business**

Commission Chair Sams asked for unfinished business. It was determined that there was no unfinished business.

## **VI. New Business**

### **a. Resolution Extension for SchoolNet Plus**

Executive Director Froment stated Resolution 05-38 gave authority for the Executive Director to implement the distribution of SchoolNet Plus funds over a two year funding cycle. However, the Tobacco Budget (Senate Bill 321) provided funding for a three year funding cycle. Therefore eTech Ohio was requesting an extension of the authority contained in Resolution 05-38 to complete the funding for grade 8 in accordance with the funding formula approved by the eTech Ohio Commission through resolution 05-38. Motion was made by Commissioner Hawkins, seconded by Commissioner Boggess to adopt Resolution 08-01 granting the Executive Director the authority to take all steps necessary, including approval and signature authority, to complete the distribution of SchoolNet Plus funds for grade 8 in accordance with the funding formula approved by the eTech Ohio Commission in Resolution 05-38. Chair Sams asked if there was any discussion. There was no discussion. Commission Chair Sams asked all in favor of adopting Resolution 08-01 to signify with an aye, all not in favor to signify with a nay. Commission Chair Sams asked if there were any abstentions. There were no abstentions. The motion was carried by all Commission members.

### **b. Allocation Formula - Radio**

Executive Director Froment stated that over the last two months eTech Ohio met with a three member committee made up of representatives from the Radio affiliates to review and update the formulas and to make sure they continued to meet the original intent. The committee members took the formulas to the stations for their review and approval. The stations approved an updated formula that moved funding for three secondary stations, which had ceased to qualify for funding, to the funding pool for the primary stations. This change is reflected in the allocation formula. eTech Ohio is also contacting all the radio stations to verify they meet all criteria specified in the allocation formula. Motion was made by Commissioner Hawkins, seconded by Commissioner Hood to adopt Resolution 08-02 approving the allocation formula as presented to the Commission for use in dispersing that portion of the Telecommunications Operating Subsidy received by Ohio's qualified public educational radio stations. Commission Chair Sams asked if there was any discussion. There was no discussion. Commission Chair Sams asked all in favor of adopting Resolution 08-02 to signify with an aye, all not in favor to signify with a nay. Commission Chair Sams asked if there were any abstentions. There were no abstentions. The motion was carried by all Commission members.

## **Resolution 08-02**

**Whereas,** Section 285.30 of HB 119 directed the distribution of the Telecommunications Operating Subsidy by eTech Ohio to Ohio's qualified public educational radio stations to support their operations;

**Whereas,** The funds were to be distributed pursuant to an allocation formula used by the Ohio Educational Telecommunications Network Commission unless and until a substitute formula is developed by eTech Ohio in consultation with Ohio's qualified public educational radio stations;

**Whereas,** Over the last two months, eTech Ohio staff has met with representatives of the qualified public educational radio stations to update the legacy formula to ensure the formula reflected current technology, names, etc.;

**Whereas,** Cleve Callison, current President of the Ohio Public Radio Officers organization, has communicated to eTech Ohio that the revised allocation formula has met with the approval of the members of the organization;

**Therefore,** be it resolved that the Commission adopts the attached allocation formula for use in dispersing that portion of the Telecommunications Operating Subsidy that is received by Ohio's qualified public educational radio stations.

  
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**Bill Sams, Chair**

July 12, 2007  
**Date**

ETECH OHIO COMMISSION  
Radio Station Operating Allocation Formula and Eligibility Criteria  
July 12, 2007

A. ELIGIBLE STATION

For the purpose of this criteria statement, an "eligible station" shall be defined as an on-the-air (AM or FM) station operating in Ohio under a noncommercial educational license granted by the FCC and which meets all of the criteria set forth below.

All eTech Ohio Commission (eTech Ohio) eligible stations must be in compliance with all applicable State of Ohio laws and regulations including, but not limited to, equal employment opportunities, drug-free workplace, no finding for recovery, and the Americans With Disabilities Act of 1990.

B. CRITERIA

1. **LICENSING AND POWER:** The station must be designated by the FCC as a noncommercial, educational radio station. The station must have transmitter power sufficient to provide primary signal coverage in the community of license.

2. **MANAGEMENT AND STAFF:**

a. Primary Station

1). A minimum of five full-time professional radio station staff must be employed on an annual (12 month) basis. At least three full-time staff members should be employed in managerial and/or programming positions.

2). Full-time, professional, radio station staff includes permanent personnel with demonstrated skill and expertise in management, programming, production, promotion, development, or engineering areas of radio station operations, paid no less than the minimum federal hourly wage plus regular health benefits, whose terms of employment require exercise of full-time duties in one or more of these areas. The term "full-time" will be understood to be the number of hours that constitute the normal acceptable work week at each institution or station.

3). Custodial and clerical staff, students whose student status is a condition of employment, interns and trainees, do not meet the definition of this criterion, nor do personnel teaching or holding academic duties in excess of the equivalent of one three-hour credit course per quarter or semester.

4). Persons employed on a non-permanent basis, such as on a public service employment training grant, cannot be considered full-time professional radio staff to meet this criterion.

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5). A primary station must have sufficient, professionally equipped on-air production facilities to allow for broadcast of programming of high technical quality including the capability for simultaneous local production and origination. In addition, sufficient office space must be provided.

6). The station's minimum operational schedule must be 18 hours per day, 365 days per year.

7). A program schedule designed to further the principles of particular political and/or religious philosophies does not meet the definition of this criterion.

8). Stations licensed to political organizations do not meet the definition of this criterion.

9). Any radio station which receives subsidy payment from the eTech Ohio, is encouraged to, contingent upon the rights being available, share its programming with any other radio station which receives subsidy payments from eTech Ohio. The radio station from whom the programming is requested shall negotiate with and receive from the requesting radio station payment to cover reasonable additional expense incurred. eTech Ohio will facilitate the exchange of programs through its statewide information distribution network.

#### b. Secondary Station

1). A secondary station repeats the signal from a primary station and is one which may be necessary to achieve statewide first service, even if it partially duplicates a primary station signal.

2). A secondary station must have sufficient reception and transmission equipment in order to re-transmit the signal of the primary station in order to provide coverage for the area which it is designated to serve.

3). A secondary station is not required to have local production or origination capabilities.

4). By definition, a secondary station is not a primary station.

#### c. Translators

1). A translator is used to provide a public radio signal in areas which have severe reception problems from either a primary station or a secondary station.

2). A translator must have sufficient reception and transmission equipment in order to retransmit the signal of the facilities detailed in 1 above.

- 3). A translator does not have local production or origination capabilities.

### C. SUBSIDY FORMULA

The official standard for coverage of FM stations will be 1 mV/m. In determining statewide coverage, AM stations will be considered along with the FM stations, although the system is essentially FM-based. Stations who are currently receiving subsidy as primary stations will retain their designation. If an existing primary station, which is totally duplicative of the signal of another station, ceases operations, that station or its successor will no longer be considered a primary or secondary station. Applicant stations who are not currently receiving subsidy funds as a primary station will need to demonstrate coverage to unserved or underserved areas of the state to qualify as an eligible station.

1. Primary Stations: Of the total radio subsidy funds, 70.3975 percent of the funds shall be equally divided between the primary stations. As of the date of issuance of this document, the following fifteen (15) stations are considered to be primary stations:

WCBE-FM	WCPN-FM	WCSU-FM	WDPR-FM	WYSO-FM	WMUB-FM
WYSU-FM	WGUC-FM	WGTE-FM	WKSU-FM	WOSU-AM	WOSU-FM
WOUB-AM	WOUB-FM	WVXU-FM			

2. Secondary Stations: Of the total radio subsidy funds, 27.9474 percent of the funds shall be equally divided between the secondary stations. As of the date of issuance of this document, the following sixteen (16) stations are considered to be secondary stations operating in Ohio:

WDPG-FM	WGBE-FM	WGDE-FM	WGLE-FM	WKRW-FM	WKRJ-FM
WKSU-FM	WNRK-FM	WOSB-FM	WOSE-FM	WOSV-FM	WOSP-FM
WOUL-FM	WOUC-FM	WOUH-FM	WOUZ-FM		

3. Translators: Of the total radio subsidy funds, 1.6551 percent of the funds shall be equally divided between the translators. As of the date of issuance of this document, the four (4) translators are:

Newark Translator (WCBE-FM)	Ashtabula Translator (WYSU-FM)
Boardman Translator (W_____)	Ashland Translator (W_____)

### D. APPEALS PROCESS

Any current or potential Commission grantee may appeal a designation to the eTech Ohio Commission. The appeal must be in writing and contain the following information:

1. Formal letter appealing the designation;

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2. An engineering study supporting the appeal;
3. Other information which the licensee deems appropriate in support of their appeal.

In the event the appellant is successful, the eTech Ohio will recalculate the existing subsidy and re-distribution of the existing subsidy will be made based upon the findings of the appeal.

E. OTHER CRITERIA

Disbursement of subsidy payment from eTech Ohio to radio stations is subject to the availability of funds.

**eTech Ohio Commission Meeting Minutes**

**June 14, 2007**

**9:30 am - 11:30 am**

**eTech Ohio Commission Attendees:** Commission Chair Bill Sams, Commissioner R. Steve Edmonson, Commissioner Jennifer Garrison, Commissioner Bruce Hawkins, Commissioner Paul Hood, Commissioner Susan Turben, Commissioner Dan Vermeire, Commissioner Designee David Barber, Commissioner Designee Steve Burigana.

**eTech Ohio Staff Attendees:** Executive Director Jillian Froment, Chief Operations Officer Jason Barnett, General Counsel Shelly Peloquin, Director of Government Relations and Public Affairs Kevin Potter, Public Affairs Officer Dan Fitzpatrick, Chief Education Officer Elizabeth Wallace, Assistant Chief Education Officer Scott Kane, Chief Information Officer Matt Howard, Executive Assistant Dora Dean, Broadcast Manager Phil Riegel, and Chief Technology Officer Eugene Wallis.

**I. Opening**

Commission Chair Sams called the Commission meeting to order at 9:30 am and asked that the roll call be read.

**II. Roll Call**

Executive Assistant Dora Dean called roll. Commission Chair Sams noted that there was a quorum under the bylaws. Commissioner Designee Steve Burigana and Commissioner Garrison arrived after the roll call.

**III. Approval of Minutes**

**a. April 12, 2007 Meeting Minutes**

Commission Chair Sams asked that the wording in Section V of the April 12, 2007 minutes be changed from "will not play a big role" to "a different role." Commission Chair Sams asked the Commission members for a motion to approve the minutes of the April 12, 2007 Commission meeting as edited. Commissioner Hawkins made the motion, and Commissioner Hood seconded the motion to approve the minutes as edited. Commission Chair Sams asked for all in favor to voice their approval. All members were in favor of the motion.

**IV. Reports and Administrative**

**a. Chairman's report**

Commission Chair Sams welcomed the Ed Techs to the Commission meeting.

Commission Chair Sams stated he would like to review eTech Ohio's strategic plan in September and asked Commissioner Hawkins to serve as lead and

**f. FY 08 Meeting schedule**

Commission Chair Sams discussed the FY08 meeting schedule. eTech Ohio is required to have six commission meetings. The FY08 schedule has eight meetings with the potential for two being off-site. The meetings will be the second Thursday of every month from 9:30 am to 11:30 am unless changed for off-site meetings to accommodate travel and site schedules.

**V. Unfinished Business**

Commission Chair Sams asked for unfinished business. It was determined that there was no unfinished business.

**VI. New Business**

**a. Resolution Renewal**

Executive Director Froment said House Bill 119 requires eTech Ohio to make contract, grant and subsidy payments on behalf of the Statehouse News Bureau, Ohio Government Telecommunications Studio, Ohio Public Television Stations, Ohio Public Radio Stations, Ohio Radio Reading Service Stations and Educational Technology Agencies. She asked the Commission to renew the approval and signature authority to make these payments. A motion was made by Commissioner Designee Burigana and seconded by Commissioner Vermeire to approve Resolution 07-08 giving the Executive Director the authority to take all steps necessary, including approval and signature authority to make the payments. Commission Chair Sams asked if there was any discussion. There was no discussion. Commission Chair Sams asked all in favor of adopting Resolution 07-08 to signify with an aye, all not in favor to signify with a nay. The motion was carried by all Commission members.

**b. Allocation Formulas - Radio and Radio Reading Service**

Executive Director Froment asked the Commission to approve the revision of the Ohio Radio Reading Services (ORRS) allocation formula. She explained that the changes were non-substantive in nature and reflect the way the payments have been made over the past six years. Additionally, the Radio Reading Services are working to create an impact report to demonstrate how the funding is used and how the community is impacted. Sandy Turner, ORRS President, had communicated approval of the changes and was present in the audience to answer any questions. Motion was made by Commissioner Hawkins, seconded by Commissioner Hood, to approve Resolution 07-09 adopting the RRS allocation formula for use in dispersing the portion of the Telecommunications Operating Subsidy that is received by Ohio's qualified radio reading services. Chair Sams asked if there was any discussion. There was no discussion. Commission Chair Sams asked all in favor of adopting Resolution 07-09 to signify with an aye, all not in favor to signify with a nay. The motion was carried by all Commission members.

## **Resolution 07-09**

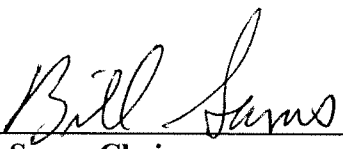
**Whereas,** Section 206.31.06 of HB 66 directed the distribution of the Telecommunications Operating Subsidy by eTech Ohio to Ohio's qualified radio reading services to support their operations;

**Whereas,** The funds were to be distributed pursuant to an allocation formula used by the Ohio Educational Telecommunications Network Commission unless and until a substitute formula is developed by eTech Ohio in consultation with Ohio's qualified radio reading services;

**Whereas,** Over the last two months, eTech Ohio staff has met with representatives of the qualified radio reading services to update the legacy formula to ensure the formula reflected current technology, allocation formulas, names, etc.;

**Whereas,** Sandy Turner, current President of the Ohio Radio Reading Services Officers organization, has communicated to eTech Ohio that the revised allocation formula has met with the approval of the members of the organization;

**Therefore,** be it resolved that the Commission adopts the attached allocation formula for use in dispersing the portion of the Telecommunications Operating Subsidy that is received by Ohio's qualified radio reading services.

  
**Bill Sams, Chair**

June 14, 2007  
**Date**

Radio Reading Service Operating Allocation Formula and Eligibility Criteria  
June 14, 2007

Operating Subsidy Criteria:

1. To qualify for full operating subsidy funding, a radio reading service must produce relevant local programming which is transmitted via one or more delivery systems (i.e., a non-commercial educational broadcast station, SCA, SAP), to one or more disabled populations as defined in the Limitations on Exclusive Rights: Reproduction for blind or other people with Disabilities Section of the Federal Copyright Law.

A radio reading service which transmits a signal but does not produce relevant local programming shall receive a partial subsidy.

2. A radio reading service which qualifies for full subsidy shall receive, at a minimum, subsidy funding in the amount of \$6,000.00. A radio reading service which qualifies for partial subsidy shall receive, at a minimum, subsidy funding in the amount of \$2,000.00.

A radio reading service which transmits programming on more than one transmitter, for the purpose of extending its primary service area, shall receive, at a minimum, subsidy funding in the amount of \$2,000.00 for each additional transmitter.

3. During its first and second year of operation, a radio reading service cannot receive subsidy payments in excess of 67% of its operating budget. During the third year of operation and thereafter, a service cannot receive more than 50% of its annual operating budget. Since radio reading services rely heavily on volunteers and since some of the services are contained in a larger rehabilitation or public broadcasting facility, the operating budget may consist of administrative and overhead expenses and/or reasonable in-kind donations necessary for the operation of the service (i.e., donated space and utilities, volunteer office and administrative personnel, volunteer board operators, donated SCA or SAP signal, etc.). This does not include volunteer readers.
4. Subject to paragraph 2, funds shall be distributed proportionately to the radio reading services according to the following formula:
  - i. Each radio reading service will report the number of unrepeated, original, locally-produced weekly hours of programming for the prior fiscal year.
  - ii. A Median Production Hours (MPH) will be determined by calculating the median production hours from all radio reading services qualified for full operating subsidy funding.

- iii. Each qualified radio reading service will then be credited with a maximum of either the MPH or the actual production hours. This number will represent the Eligible Production Hours (EPH) for each radio reading service.
  - iv. The EPH for each radio reading service will be totaled to calculate the Total Eligible Production Hours (TEPH.)
  - v. For each qualified radio reading services, a distribution percentage will be calculated by dividing its EPH by the TEPH, multiplying by 100, and rounding to nearest tenth of a percentage place.
5. Any radio reading service which receives subsidy payments from the eTech Ohio Commission (eTech Ohio) must, contingent upon the rights being available, share its programming with any other radio reading service which receives subsidy payments of eTech Ohio.

The service from whom the programming is requested shall negotiate with and receive from the requesting service, payment to cover reasonable additional expenses incurred. eTech Ohio will facilitate the exchange of programs through a statewide tape exchange, statewide microwave system and/or whichever mode of distribution is practical.

#### Expansion Subsidy Criteria:

Expansion projects are funded at the sole discretion of eTech Ohio and are subject to the availability of funds. The following expansion projects are eligible for funding:

##### A. Outreach:

1. Any radio reading service, for the purpose of outreach, may receive expansion funds to identify and serve additional consumers. They must first submit a plan and budget which must be approved by eTech Ohio.
2. In the absence of an existing operating radio reading service being able to do outreach, eTech Ohio, working directly with local community organizations and agencies (i.e., Goodwill, Council on Aging, libraries, Easter Seals, Rehabilitation Centers, etc.), may use expansion funds to identify and serve consumers in unserved or underserved areas. Expansion funds may also be used for technical purposes to improve or enlarge the network.

##### B. Existing Services:

1. An existing radio reading service, for the purpose of providing service to unserved areas of the state, may request expansion funds to add another transmitter.

2. Grants of up to \$10,000.00 may be awarded for a maximum period of one year in this category.

C. New Services:

1. There will be a ceiling of \$20,000.00 for any grant awarded in this category.
2. Funding will be awarded in the form of matching grants. For every \$1.00 raised by the new service, state funds in the amount of \$2.00 may be awarded.
3. Grants will be awarded on a yearly basis for a maximum period of two years for development purposes.
4. The applicant must show evidence that it has the potential to qualify for full or partial operating subsidy (as defined above) following the 2-year start up phase.

Appeals Process:

Any eligible radio reading service may appeal a funding decision to the eTech Ohio. The appeal must be submitted in writing.

In the event the appeal is successful, appropriate adjustments will be made and the eTech Ohio will re-calculate the existing subsidy and a re-distribution of the existing subsidy will be made based upon the findings of the appeal.

Other Criteria:

All radio reading services that receive subsidy must submit required documentation to eTech Ohio.

Disbursement of subsidy payments from eTech Ohio to radio reading services is subject to the availability of funds.

All eTech Ohio eligible radio reading services must be in compliance with all applicable State of Ohio laws and regulations, including, but not limited to, equal employment opportunities, drug-free workplace, no findings for recovery, and the Americans with Disabilities Act of 1990.

## Resolution 05-31

**Whereas**, Section 3353.03 (A) of the Ohio Revised Code provides that the Executive Director of the eTech Ohio Commission shall have no authority other than that provided by law or delegated to the Executive Director by the commission;

**Therefore**, be it resolved that the Commission delegates to the Interim Executive Director the authority to take all steps necessary, including approval and signature authority to distribute up to \$1,260,000 in each FY 06 and FY 07 from the 935-406, Technical and Instructional Professional Development line item. These dollars shall be allocated equally among the 12 Ohio educational television stations and used with the advice and approval of eTech Ohio as required in Section 206.31.09 of House Bill 66 of the 126<sup>th</sup> General Assembly.

  
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Bill Sams, Chair

September 19, 2005  
Date